Mindy Lubber, Regional Administrator, EPA New England

Rick , thank you and thank you for working with so many people to lead us to this great conference. There is no question that we are all struggling in government - and probably outside of government but I don't know it as well at least for the past 4 or 5 years - to find the magic of keeping up with the times. It's not easy. The times are changing dramatically in our economy and our environment every place we look. And change particularly doesn't come easy to the government. Having a forum like this - and we thank you for putting it together - to share war stories, to look at what works and what doesn't work, and why it works and why it doesn't work is a great service to all of us. So I'm glad we're here.

I'm going to try and rush a lot of thoughts in our short time here. I'm going to not cover everything I'd like to cover, but I do want to talk about culture change and innovation at the EPA, particularly at the EPA New England. And many, many of my thoughts are quite similar to what Bob Perciasepe said this morning, to what Bob Varney said this morning, and to what Malcolm Sparrow talked about. Which is a good thing. It's a bad thing for you to have to listen to it time and time and time again, but it says we're getting the vocabulary right, we're marching in the same direction, we're thinking similar thoughts, and that says to me we are making progress.

Talking about culture change forces us to take a good hard look at the way we work. Because I'm going to take a good hard work, and be critical largely of ourselves in the region but a good many other people in the agency - and that's not the theme of my talk by any means - I want to start by saying I seek amnesty. Don't take anything too personally. This is about us being reflective, and looking closely at ourselves. I am certainly not doing what Mark Twain once did when he said "Nothing so needs reform as other people's habits." I'm not looking at other people's habits. It is about all of our habits. It's about reforming what we're doing, it's about culture change, and doing it in a smart way.

Let me say, my first instinct when asked to talk about this was too vague, too general, too broad, one more discussion on a broad-based topic that's not going to get us anywhere. Just not a good use of my time. And then I sat back and thought about it, and decided that this issue really – culture change and innovation - is important enough for us to force ourselves to take these vague notions, we may very well all have different definitions for what they really mean, but to take these vague notions and to dissect them, to figure out in a very concrete way what it means, to look at some of the ways we've approached culture change and innovation in our region, some things that have worked and some things that haven't worked.

I also want to say something else. When we talk about culture change and innovation, we must be talking about everything we do. Culture change or innovation for that matter is not about a small group of people who are working in Rick Farrell's office, it's not about the Project XL team in the regions or at headquarters, it is not about the group of people working on performance partnership agreements with the states, who have seen the light that partnership with the states is the answer. It is not about emissions trading or credits or any of the other new things we've done for three or four years. What it is about is absolutely everything we do and how we do it. If we think about it as our Innovations Office, we will never get there. Innovation is about rethinking every single thing that everyone of us in government does. That's whether we're in a branch office or a

contracting office, in the management offices, a water office or air office, or for that matter an innovation office. It is about building structures that foster an environment where change can happen, and we must learn and accept different ways to do our job in an effort to achieve bottom line results. But we need to change our culture so we can be innovative in absolutely everything we do.

The great management writer and teacher Edward Deming said, "Learning is not compulsory; neither is survival." But I will say to survive and succeed in the business we're in, we need to learn how to change better. The world is changing and we need to go with it. I will get more specific.

No question we've got to do it. Why do we do it? There are new environmental problems that need new solutions. We can't do it alone. And we can't do it the way we've always done it. Let's look at a few examples.

Point source versus nonpoint source pollution. For a very long period of time, we focused our effort - our tools were designed around, our energies were designed around, our people were designed around - going after point source pollution. I could drive down the New Jersey turnpike and I could tell you the fifteen biggest emitters. It wasn't that complicated. We went after them, we enforced against them, we got the low hanging fruit, which made a substantial and a significant difference. There are two **(could not make out word on tape, please clarify)** those large emitters, there is no question about it.

But a very big part of the environmental problem now is nonpoint pollution. It is about all of us. It is about the pesticides in our back yards, it is about the runoff from parking lots, it is about the runoff from our highways and roads that is polluting our river ways and waterbodies. Those things demand a new way of going about our business of environmental protection. We cannot do those things with the solutions that we used to use: of enforcement largely as a key, or permits for the large emitters. Solutions must include pollution prevention education, partnerships with state and local governments, universities, trade associations, schools, and so on.

Let me give one more example of an environmental problem that is going to demand a change in the way we do our business, innovative approaches to environmental protection , and demand it big time, so to speak. Unplanned development or so-called smart growth. We won't fix this problem, and some people think it's not our place to fix the problem. But I can assure you if the problem is not addressed, the degradation of our environment will be tragic and profound. And we won't fix it using traditional tools. But it must happen, we've got to go about fixing this problem, making sure that future growth is smart and thoughtful, and it is about doing it in a way that doesn't further harm the environment. There is no doubt in my mind or I'm sure any of your minds, that more traffic, more cars, more fragmentation of habitat, loss of open space, more nonpoint source pollution will cause great harm to the environment.

But our traditional tools don't get at solving this problem. We've got to think about new solutions. They include partnerships with state and local governments, training for planners, dialogue with developers, creative use of NEPA, grant programs that are thought through in different ways, and so on and so forth. We have got to think differently, and all of it needs to be driven by

environmental results.

Why else do we need to keep changing? Resources are scarce and getting scarcer for all of us. We need to make sure we are using them in the most efficient and the most effective ways possible.

A few more reasons. Outside studies have demonstrated the need for culture change within the EPA. The most recent report of the NAPA, or their recent study, is the most recent example where we are being told, we have got to look at ways to do things differently. And I will say before I quote one sentence from NAPA, if we don't change ourselves, somebody will come in and do it for us. Perhaps the United States Congress, I guess they're the ones with the power. But in the NAPA report, it said, "The Environmental Protection Agency must change its conservative culture and work with the states and private businesses to tackle the nation's toughest environmental problems." While not suggesting the EPA abandon their regulatory role - and thank goodness they're not - the nonprofit NAPA recommended the Agency focus less on things like overseeing permits and more on controlling such big picture problems as smog, sediment build-up in water, and global warming. I don't agree with everything NAPA wrote in that very, very long report, but I do indeed, agree with some things, and I think that is one example of why we need to be thinking about innovation and culture change every minute of every day.

Let me say one more thing before offering some examples. And that is, this is not a matter of old versus new or good versus bad. It is about making sure our organizations are responsive to changes. It is about using all of our tools. What we should be aiming at for regulatory agencies are agencies that are able to adapt to change, to take advantage of new opportunities, and to recognize and respond to emerging problems. We need to do this every day and in a way that makes sense to the public. And I will say it all sounds like good common sense, but my experience has been that it's not happening.

Now let's talk very briefly about how do we do this? How does culture change happen? Culture change sometimes seems like the weather - everyone talks about it a lot, but no one does anything about it. And I remember being at meetings of EPA's Reinvention Action Council years ago, and we discussed this topic at length. And it sometimes seemed like there were so many obstacles that changing our culture was near impossible. Now looking back, I can say that we have made very real changes and significant changes in our culture. The changes are concrete and most importantly they are having a significant impact on how we do our job and measure our success.

And it is in forums such as this that we actually can take the time to think about it, to look at what worked and to learn from those changes and to discuss what we got right and what we could have done better. Let me discuss some examples from our region. Some are good, some are bad. But they are all about trying to change, and trying to change for the better, and every day about trying to innovate.

Now when my predecessor, John Devillars, came to the region he was intent on making significant changes. The lessons learned include the value of strong leadership vision, the impact you can have by making structural changes in organizations, the importance of communications both internally and externally, the value of taking risks, and the importance of focusing on bottom line environmental results and doing so in partnerships.

In some ways we got it right on these points. In others, we absolutely blew it. But I will say on average, the Region has made significant changes in changing our culture and in making sure that everyone in the Agency understands those changes.

Let's start very quickly with a clear vision to change. John offered his clear vision. Not everyone agreed with it, not everyone was even interested or willing to go along with it. But he came in with a clear vision of where he thought the Region should go, and he communicated that vision in no uncertain terms. In the broadest sense, that vision meant that EPA needed to take the time to understand how environmental problems were changing and that we needed to invest the time and resources to develop new tools to solve them.

We had to understand that our most significant problems were too big to solve on our own. We needed to forge partnerships with groups we had not worked with and to sit and understand the needs of the regulated community, of states and local communities, of environmental organizations, businesses, and community organizations.

And we also had to understand that our problem-solving tool box needed to grow considerably. Some people mistakenly interpreted this as a sign that we were abandoning our traditional role as a regulatory and enforcement agency. That was wrong. Nothing could be further from the truth. What we were doing was taking advantage of a new problem-solving approach where we could use additional tools to go after the problems. And our culture had to change to accept these new approaches.

The vision was articulated very clearly. I can assure you not everyone agreed with this vision, nor did they agree with John's style when he first announced it. But we were clear. This was the direction we were going in. This is how we were going to do it. We tried to lay it out as clearly as we could to bring people along for the ride of change. And they came along, some willingly, some unwillingly. But the mission was clear.

Let me give one example. We set out to bring Environmental Management Systems (EMSs) into our tool box. The work we did on the first Star Track program, where we evaluated the impact of EMSs was a big part of using new tools and proving to our sometimes suspicious workforce that there were tools that make sense,. This was not doing something that different, it was about common sense. It was about working with businesses to teach them how to manage their environmental footprint, how to manage what they do that's often negative to the environment. It made sense, and finally with specific examples and a clear vision, we brought another 50 or 100 people along in our efforts to bring culture change to the region.

We also made organizational changes, which I would articulate as very, very important to bring change about. The lesson is important for organizational change. Some of our structures may change differently. Within our region, the most difficult changes in our culture came with our reorganization which totally altered the way many people's jobs were structured. Stovepipe structures were swept away and replaced with multi-media and multi-program teams. At the same time, we reduced the number of management positions by 30 percent, as did everybody else. Instead of an Office of Enforcement, we had an Office of Environmental Stewardship. Instead of

an Air, Water or Waste office, we had an Office of Ecosystem Protection.

Many of our staff weren't willing to buy it just yet. Many of our staff thought it wasn't the way to go, thought it was difficult, thought it was hard to make those kinds of innovative changes, thought we would be out of step with Headquarters. And it was painful and we did pay a price. But I would say that we have seen very clear payoffs as we are seeing today.
It's about multi-media efforts, as we'll talk about the Charles River in a minute and then talk about it in later sessions. It's about multi-pronged efforts to get better environmental results. Let me give one very quick example and that's our university effort. It used to be we'd take an enforcement action, and we'd take an action against a bad player. In the case of universities, we have a bunch of people trying to teach higher education, not thinking much about the environment, and sometimes making mistakes. We invited leaders of universities to come and understand how to do it better. We got a very small response. We then merged our compliance assistance and enforcement programs structurally and in the way we do our work, and then we took an enforcement aciton, an enforcement action against the University of New Hampshire. Very public, very vocal, very well publicized. We then invited university presidents to come and learn about how to do their job better - 360 people registered, we had to turn them away - as was the case for this conference.

But it was because it was about smarter thinking- focused enforcement, informed enforcement coupled with pollution prevention and compliance assistance, and every part of our programmatic work is now doing that. We don't take enforcement actions without thinking about how do we get far greater - and I mean far greater - bang for our buck. We just took another enforcement action against an Ivy League school, Brown University. Now's the time to send out another letter inviting university presidents. They respond and they respond en masse.

Structurally, we were able to change the way we did things through innovation and new ways of doing it. Let me talk about a few other changes.

One was communicating and focusing externally and involving the public. I've said many times that "Your desk is a dangerous place to view the world." But I will say that EPA people for years and years and years have been very insular, focused on what's going on at our desk, in our office, in our region, in our world without being broadly enough focused. We made a change to place much greater focus on communicating and listening to the public, and more so involving the public. Carol Browner is about right-to-know, the work we've done on TRI, the work we've done on our web pages where millions and millions of people learn from us every single day. That is about communicating better with the public.

When I got to EPA I asked people who were in a role called Superfund Community Involvement what they did to involve the community in Superfund sites. I was told we send out fact sheets every once in a while to let people know what was going on in their neighborhoods. That is not about involving the public. Involving the public means going out into the communities, knocking on doors, talking to people, holding public forums, involving them in the process, letting them understand what we are about to do in their community, be it at a Superfund site or anything else involving their community. And I will tell you with complete certainty that we make richer, we make smarter and we make better decisions when we involve the public that's impacted by our

work. It happens every time.

When we don't do it, we often pay a grave price. People don't trust us, they're suspicious, they don't know what we're doing. We have got to spend more of our time and our culture believing, understanding that the public has a right to be part of our process, as much as possible, our decision-making process. We need to be accountable, we need to be very public about what we're setting out to do. And we need to hold ourselves accountable and let the public hold us accountable.

Communicating internally is another point. I don't think that we did that very well in the Region. And because we didn't do it, at the outset we probably only had a hundred people who bought into culture change. We needed to show people by results, by environmental results, that culture change was about changing the way we did business. It was about innovation and the bottom line was about better environmental results. There were many people in the Region who didn't like a particular Regional Administrator or they don't necessarily think one Administrator's words impact them directly, but they do all care about the environment.
Communicating bottom line environmental results and how you do better through innovation is a crucial part of the task of bringing culture change, and we all ought to do it better.

A few more things about what's worked and what hasn't worked in our Region, and then I'll let the other speakers take their shot.

The first is taking risk. Regulatory agencies are absolutely risk averse. The dangers of inconsistency, of legal vulnerability, of hostile public perception make it all too easy to try and avoid change. But we cannot avoid risk if we want to make change, and if we want to get the best environmental results.

We must find ways to reward risk takers, even when they do not succeed. Let me give you an example of where we took risks. Down on Cape Cod, there was a military base that had ongoing pollution and literally was jeopardizing a sole source aquifer for close to a million people who use that aquifer and who either vacation on the Cape or live on the Cape full time. And we took enormous risk. We took unprecedented action using the Safe Drinking Water Act to require the Department of Defense to cleanup and dispose of unexploded ordnances that threatened the drinking water supply at this particular site. The emergency order we issued was the first ever issued to a military base. It was based on proof that unexploded ordnances pose substantial environmental and public health risks and threats. And in issuing that order, we took a big risk by taking on the Department of Defense. And I want to say two things. The pressure was relentless, they never stopped, they pushed, they went back at us, they went to OECA, they went to OSWER, all of whom were part of the solution. It wasn't always the region, it was the good work of many, many people at headquarters. But we stood our ground, we took an enormous risk, we took an unprecedented action, we stood our ground and we won and it was about environmental results. Because of that, we have proven that military training involving explosives and buried ordnances causes untold contamination, and that the military had to do something about it. And there are very clear environmental results. The Department of Defense has put into use at this particular military site a mobile detonation chamber so these unexploded bombs that are all over the site in Massachusetts - we are hearing about a new site in Colorado

and many other places across the country - where we forced a detonation chamber so that unexploded ordnances are exploded inside a chamber rather than creating more pollution for our air and our water.

But it was about taking risk, it was about pushing people that don't go the most conservative route, don't worry about the federal family. If the environment is at stake, step up to the plate and take care of it.

One more thing is focusing on results. GPRA forces us to do it, but I still don't believe we do it well enough throughout our agency and we all have to get better. We have got to focus on results, period.

One examples for us is the Charles River Initiative which you'll hear more about. But we focused on a result people can understand - making the Charles River fishable and swimmable by Earth Day 2005. And we did it in a multi-media way and we did it in partnership. We did scientific studies, we collected data. We used enforcement tools to make sure that sewer overflows and elicit hookups were dealt with. We did tremendous pollution prevention training for everybody lining the river and public education is ongoing. And our partnership is as deep as any partnership. We are working intimately with the Commonwealth of Massachusetts, which is doing a great job to make that Charles River fishable and swimmable. And we have worked with every city and town that lines the river, in partnership to make sure they're doing their job. And we've got a clear commitment - a clear commitment where they can be held accountable - from businesses that line the river, from universities that line the river, we've got nonprofit environmental organizations doing testing of that river every day. We have a deep, solid, and wide partnership. And because of that partnership, a partnership that is built completely around environmental results - not around permits, not around the number of inspections and those things are important. But we have got to drive our work around environmental results, and because of that I want to say the following. Swimming standards were met 19 percent of the time in the Charles River in 1995, and now 65 percent of the time in 2000. Boating standards were met 39 percent of the time in 1995, and 94 percent in 2000. I can tell you with certainty it would have been impossible for the Environmental Protection Agency to have done it alone. We did it because we focused on environmental results and we did it in partnership.

These are very new ways for us to take on our work, to challenge our problems. But they are working. Every single day I am convinced that doing our work just a little bit differently makes enormous sense. I could go on and on but I"m not going to with more examples. I do think we ought to push ourselves.

Let me just say this stuff is hard to do, people resist change. But I am absolutely convinced that we can do it. We are doing it successfully in many, many pockets of this great agency. But we need to keep at it. We need to keep pushing ourselves everyday to figure out what more we can do to be innovative, we need to change every single day, we need to make a profound change, to literally keep doing for the American public what they expect us to do.

Each and everyone of us is privileged to be able to go to work and do great work that makes a profound difference in peoples lives. We have an obligation to do it as smartly, as efficiently, and

as clearly as we possibly can. I think we're going about the business of doing it. I think we're getting better every day, and I think we ought to keep pushing ourselves.